

MINUTES
Regular Meeting of the College Park City Council
Tuesday, August 9, 2011
8:00 p.m. – 8:30 p.m.

PRESENT: Mayor Fellows; Councilmembers Nagle, Wojahn, Catlin, Cook, Afzali and Mitchell.

ABSENT: Councilmembers Perry and Stullich.

ALSO PRESENT: Joe Nagro, City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Chantal Cotton, Assistant to the City Manager; Elisa Vitale, Senior Planner; Steve Groh, Director of Finance; Bob Ryan, Director of Public Services; Vivian Cooper, Animal Control Officer; Marcella Morris, Student Liaison.

Mayor Fellows opened the meeting at 8:00 p.m. Councilmember Nagle led the Pledge of Allegiance.

Minutes: A motion was made by Councilmember Cook and seconded by Councilmember Mitchell to adopt the minutes of the Regular Meeting of July 12, 2011 and the Confidential Minutes of the Executive Sessions on June 14, 2011 and July 12, 2011. The motion passed 6 – 0 – 0.

Announcements: Councilmember Catlin announced that Berwyn Day would be held on Saturday, September 10, 2011.

Councilmember Afzali announced that the Maryland Terps would play Miami on Monday, September 5 at 8:00 p.m. on national TV.

Councilmember Wojahn announced the North College Park Civic Association would hold their picnic on Saturday, August 27 from 11:00 a.m. – 3:00 p.m. at Davis Hall.

Mayor Fellows mentioned there would be a Special Worksession after tonight's regular meeting to discuss how to spend the revenues from the City's speed cameras.

Amendments to the Agenda:

The following items were placed on the Consent Agenda: 11-O-11, 11-G-66, and 11-O-06.

City Manager's Report: Mr. Nagro announced the City Council's summer meeting schedule and said that nighttime noise enforcement would commence next Thursday, August 18.

Student Liaison Comments: Ms. Morris said students will begin moving in the week of August 21 and classes begin on August 31.

Comments from the Audience on Non-Agenda Items: None.

Consent Agenda:

A motion was made by Councilmember Catlin and seconded by Councilmember Wojahn to adopt the Consent Agenda which consisted of the following items:

- 11-G-76 Approval of an Amendment to the City Manager’s Employment Agreement**
- 11-G-78 Approval Of A Letter To The Governor’s Redistricting Advisory Committee Regarding State And Federal Redistricting**
- 11-O-06 Adoption of 11-O-06, An Ordinance of the Mayor and Council of the City of College Park to Amend the Fiscal Year 2011 Operating and Capital Budget of the City of College Park, Maryland**
- 11-O-11 Adoption of 11-O-11, An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Adding Chapter 102, “Dogs And Other Animals”, §102-16 “Adoption And Microchip Fees”, Amending Chapter 110 “Fees And Penalties” To Set Fees For Dog And Cat Adoption And Placement Of Microchips.**
- 11-G-66 Motion To Amend The Compensation For The Board Of Election Supervisors Effective In March 2013**

The motion passed 6 – 0 - 0.

Action Items:

- 11-O-10 Adoption of 11-O-10, An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 38, “Code Of Ethics”, By Repealing And Reenacting Article I, “General Provisions”, Section 38-2, “Applicability , Section 38-4, “Definitions”, And Article II, “Ethics Commission”, Section 38-6, “Duties And Powers”, Section 38-9, “Penalties”, And Section 38-10, “Exemptions And Modifications”, Article III, “Prohibited Acts”, Section 38-11, “Conflicts Of Interest”, And Article IV, “Required Disclosures” And Section 38-18 Lobbying Activities, Adding Article IV, Section 38-15, ‘Financial Disclosure – Local Elected Officials And Candidates’, Section 38-16 “Financial Disclosure – Employees And Appointed Officials”, And Section 38-17 Additional Conflict Of Interest Statements Required, Repealing Article III, Section 38-13 “Abuse Of Position” Section 38-14 “Disclosure Of Confidential Information” And Section 38-17 “Disclosure Of Conflicts Of Interest” And Renumbering Various Sections To Amend The Ethics Code To Conform To Current State Law.**

A motion was made by Councilmember Afzali and seconded by Councilmember Mitchell to adopt Ordinance 11-O-10, an Ordinance of the Mayor and Council of the City of College Park, Maryland, Amending Chapter 38, "Ethics" of the City Code, to conform to State law requirements.

Mr. Afzali commented that in 2010, the State legislature adopted a requirement that municipalities conform their ethics codes with respect to elected officials and candidates to the state requirements. The State Ethics Commission has provided a template for the City to follow as a guideline. This code revision incorporates the template into the already existing City code. One of the most notable changes in this revision is to require more disclosure of assets and interests by elected officials and candidates. Various additional changes were made to conform to City practice. This Ordinance was introduced on July 12, 2011 and the Public Hearing was held earlier this evening. Mr. Afzali further stated that the newly required Financial Disclosure Statement is ridiculously long and unnecessary, does not add to the democratic process, and could possibly discourage people from running for office.

There were no comments from the audience.

Councilmembers Nagle, Catlin, Wojahn and Mitchell echoed Mr. Afzali's comments about the new Financial Disclosure Statement being burdensome for candidates and elected officials.

Mayor Fellows added that the City Council intends to raise the Financial Disclosure reporting requirement as a legislative priority in the fall.

The motion carried 6 – 0 – 0.

11-R-13 Approval of Program Modifications To The Live & Work College Park Program

A motion was made by Councilmember Catlin and seconded by Councilmember Afzali that the City Council adopt Resolution 11-R-13, which modifies the criteria for the WorkLive College Park grant program, which is administered by the College Park City-University Partnership, working in conjunction with the College Park Housing Authority, to expand the work eligibility requirement to include applicants who work in the areas adjacent to the City, as well as within the City.

Councilmember Catlin stated that the College Park City-University Partnership, working in conjunction with the College Park Housing Authority, received grant funding from the Maryland Neighborhood Conservation Initiative Grant Program. A program was created to increase the availability of quality, affordable housing for the City workforce. The program requires that applicants work in the City. As part of the program, two residences that were in foreclosure have been purchased and rehabilitated, and are on the market for sale. Due to recent economic circumstances, it has been determined that a larger pool of potential applicants is necessary. This

Resolution would allow applicants who work in surrounding jurisdictions with zip codes adjacent to College Park and who wish to live in the City to take advantage of the program.

There were no comments from the audience or from the Council.

The motion carried 6 – 0 – 0.

11-G-77 Approval of Property Use Agreement with Looney’s Pub at College Park, Inc., and Application for a Class B, BLX, Beer, Wine and Liquor License for Looney’s Pub at 8150 Baltimore Avenue in College Park.

A motion was made by Councilmember Catlin and seconded by Councilmember Afzali that the City Council voice no objection to the application of William A. Larney, Jr., for use of Looney’s Pub at College Park, Inc. t/a Looney’s Pub at College Park, for the issuance of a Class B, Beer, Wine and Liquor License (BLX), for the property located at 8150 Baltimore Avenue, College Park, Maryland 20740, subject to the Licensee entering into a Property Use Agreement in substantially the form as attached. The City Manager is authorized to sign the Agreement and City staff is authorized to present the City’s position to the Board of License Commissioners.

Councilmember Catlin commented that an application for the issuance of a Class B, Beer, Wine and Liquor License (BLX) has been submitted to the Prince George’s County Board of License Commissioners (“BOLC”) by Mr. William A. Larney, Jr., for the use of Looney’s Pub at College Park, Inc. t/a Looney’s Pub at College Park. The BOLC hearing is scheduled for August 23, 2011. The City Attorney and Director of Public Services met with the applicant to discuss a Property Use Agreement (“PUA”). The Council discussed the new PUA in a work session with Mr. Larney. During discussion, an alcohol to food ratio of 50/50 % was determined to be acceptable to the Licensee. The PUA requires a security plan, including security personnel and cameras, and a sophisticated ID scanner system. Looney’s will offer a shuttle service to and from the establishment.

There were no comments from the audience.

Councilmember Afzali said this is one of the many exciting things happening in College Park lately.

Councilmember Wojahn agreed that the City is finally starting to get a number of decent eating establishments, and he hopes this will be more of an eating than a drinking establishment. He asked about the retail parking at the site.

Councilmember Nagle hopes that alcohol will not be the focus of the establishment.

The motion passed 6 – 0 – 0.

11-R-14 Resolution Supporting Participation In The “Sustainable Maryland Certified” Municipal Certification Program

A motion was made by Councilmember Mitchell and seconded by Councilmember Nagle to adopt 11-R-14, a Resolution of the Mayor and Council of the City of College Park Supporting Participation In The “Sustainable Maryland Certified” Municipal Certification Program.

Councilmember Mitchell stated that Sustainable Maryland Certified, a collaborative effort between state agencies, the Environmental Finance Center at the University of Maryland, the National Center for Smart Growth Research and Education, and the Maryland Municipal League, is a recognition program designed to support municipalities as they develop a program of actions to green their cities in cost-effective and strategic ways. Municipalities must register with the program, participate in training, form a Green Team, develop an Action Plan and then begin to implement the strategies identified in the Action Plan to earn points toward certification. College Park is committed to being a sustainable community and looks forward to participation in Sustainable Maryland Certified. The Mayor and Council are adopting this resolution to demonstrate their support for this initiative. As a first step, the City will send 4 individuals to the September 24th training, including staff, elected officials, and community leaders.

There were no comments from the audience.

Councilmember Catlin said it is good to see this program move forward and that it will complement work the City has done independently and the work being done through the Council of Governments program.

The motion passed 6 – 0 – 0.

11-O-12 Introduction of an Ordinance of the Mayor and Council of the City of College Park, Maryland To Amend 30 Attachment 1 to the Redistricting Plan (“Plan C”) for Council Member Elections (To Clarify Narrative Descriptions)

A motion was made by Councilmember Mitchell and seconded by Councilmember Afzali to Introduce Ordinance 11-O-12, an Ordinance of the Mayor and Council of the City of College Park, Maryland To Amend 30 Attachment 1 to the Redistricting Plan (“Plan C”) for Council Member Elections (To Clarify Narrative the Descriptions).

Councilmember Mitchell stated that this Ordinance will not change any of the District boundaries that were approved by the Council in July, but will clarify the narrative descriptions to better describe the map. The Public Hearing will be held on September 13 at 7:45 p.m.

11-G-79 Appointments To Boards And Committees

A motion was made by Councilmember Cook and seconded by Councilmember Mitchell to reappoint Charles Smolka to the Advisory Planning Commission. The motion passed 6 – 0 – 0.

Council Comments:

Councilmember Wojahn discussed the introductory meeting about the establishment of a College Park Foundation. People in the community who are interested in participating are asked to contact Mr. Wojahn.

Councilmember Nagle asked the Mayor and Councilmember Catlin for the proposed budget and last year's annual report for the College Park City-University Partnership.

Mayor Fellows commented on the National Night Out events that were held on August 2, particularly the city-wide event at the Aviation Museum.

Adjourn: A motion to adjourn the Regular Meeting and reconvene in a Special Worksession was made by Councilmember Wojahn and seconded by Councilmember Nagle. The Regular Meeting was adjourned at 8:30 p.m. with a vote of 6 – 0 – 0.

Janeen S. Miller, CMC	Date
City Clerk	Approved